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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

5

Application Number

10/666,877

Filing Date

September 18, 2003

First Named Inventor

Clement G. Eischen, Sr.

Art Unit

3739

Examiner Name

Aaron F. Roane

Attorney Docket Number

EIS 309

ENCLOSURES (Check all that apply)☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐Reply to Missing Parts/
Incomplete Application☐Reply to Missing Parts
under 37 CFR 1.52 or 1.53☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐Petition to Convert to a
Provisional Application☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) _____

☐ Landscape Table on CD

Remarks

☐

After Allowance Communication to TC

☐Appeal Communication to Board
of Appeals and Interferences☐Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐

Proprietary Information

☐

Status Letter

☒Other Enclosure(s) (please identify
below):Submission of Substitute Declaration
and Power of Attorney, Declaration and
Power of Attorney, return receipt
postcard.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Kolisch Hartwell, P.C.

Signature

Printed name

Douglas W. McArthur

Date

December 29, 2004

Reg. No.

50,795

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Suzanne Lukas-Werner

Date

December 29, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Date: December 29, 2004

Clement G. Eischen, Sr.

Our File No. EIS 309

Serial No. : 10/666,877

Examiner Aaron F. Roane

Filed : September 18, 2003

Group Art Unit 3739

For : THERMAL PACK APPARATUS

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

SUBMISSION OF SUBSTITUTE DECLARATION

AND POWER OF ATTORNEY FOR PATENT APPLICATION

Enclosed for filing in connection with the above-identified patent application is a substitute Declaration and Power of Attorney form. The original Declaration and Power of Attorney, which was filed on September 18, 2003, includes an incorrect list of practitioners in the Power of Attorney. The Declaration and Power of Attorney form has been changed to reflect the current list of practitioners. Accordingly, Applicant respectfully requests acceptance of the enclosed replacement sheets.

Should there be any questions or remaining issues, the Examiner is invited to call the undersigned at the number listed below.



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, to: Commissioner for Patents, Box 1450, Alexandria, Virginia 22313-1450 on December 29, 2004.

Suzanne Lukas-Werner

Respectfully submitted,

KOLISCH HARTWELL, P.C.

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